DOCUMENT RESUME

ED 203 248 CG 015 231

AUTHOR Lornell, Wallace M.
TITLE Counseling as a Related Service.
INSTITUTION New York State Education Dept., Albany. Bureau of School Psychological and Social Services.
SPONS AGENCY New York State Education Dept., Albany. Office of Educational Finance, Management, and School Services.
PUB DATE 80
NOTE 22p.

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS Case Studies; *Counseling Services; *Disabilities; Elementary Secondary Education; Helping Relationship; *Individualized Education Programs; *Needs Assessment; Program Development; *School Counseling; *School Responsibility; Student Needs; Students
IDENTIFIERS *Related Services

ABSTRACT

Guidelines in this publication are concerned with the provision of counseling as a related service for handicapped children, and are written to assist school personnel in discharging their responsibilities when the Committee on the Handicapped (COH) determines that a pupil requires counseling. Legal authorization for such counseling is reviewed and the counseling procedure is discussed. The COH recommendation for counseling is described as one section of Phase I of the development of the Individual Educational Plan (IEP). Other Phase I activities are presented, e.g. the basis for the COH recommendation, and a description of the school-based assistance for the handicapped student and his family. Phase II of the IEP is detailed as an outline of specific objectives, goals and evaluation procedures. The various stages of school-based counseling and its sychronization with the IEP are described. Case illustrations of counseling at Prephase I, Phase I, Phase II, and a counseling continuum are provided. Although geographically specific, this document could serve as a useful guide for developing counseling programs for handicapped students. (NRB)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED203248

COUNSELING AS A RELATED SERVICE

U S DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

Robert M. Trombley

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

CG 015231

The University of the State of New York
THE STATE EDUCATION DEPARTMENT

Office of Educational Finance, Management and School Services
Albany, New York 12234

1980 2

THE UNIVERSITY OF THE STATE OF NEW YORK

Regents of The University (with years when term expires)

1988	Willard A. Genrich, LL.B., L.H.D., LL.D., LITT.D., D.C.S. Chancellor	Buffalo
1981	J. Edward Meyer, B.A., L.B. Vice Chancellor	Chappaqua
1986	Kenneth B. Clark, A.B., M.S., Ph.D., LL.D., L.H.D., D.Sc.	Hastings on Hudson
1983	Harold E. Newcomb, B.A.	Owego
1982	Emlyn I. Griffith, A.B., J.D.	Rome
1983	Mary Alice Kendall, B.S.	Rochester
1984	Jorge L. Batista, B.A., J.D., LL.D.	Bronx
1982	Louis E. Yavner, LL.B.	New York
1986	Laura Bradley Chodos, B.A., M.A.	Vischer Ferry
1987	Martin C. Barell, B.A., I.A., LL.B.	Kings Point
1984	Louise P. Matteoni, B.A., M.A., Ph.D.	Bayside
1985	Arlene B. Reed-Delaney, B.A., M.D.	Albany
1987	R. Carlos Carballada, B.S.	Arcade
1981	Floyd S. Linton, A.B., M.A., M.P.A.	Miller Place
1981	Salvatore J. Sclafani, B.S., M.D.	Staten Island

President of The University and Commissioner of Education
Gordon M. Ambach

Executive Deputy Commissioner of Education
Joseph J. Blaney

Deputy Commissioner for Elementary, Secondary and Continuing Education
Robert R. Spillane

Assistant Commissioner for Educational Finance, Management and School Services
James J. O'Connell

Director, Division of Pupil Personnel Services
James W. Moore

Chief, Bureau of School Psychological and Social Services
William A. Sivers, Jr.

FOREWORD

Board of education members, chief school administrators, chairpersons of committee on the handicapped, and many others will find this publication to be a useful guideline in providing counseling as a "related service" under Public Law 94-142, or in providing counseling to any pupil within the parameters of public education funding.

This publication was developed by the Bureau of School Psychological and Social Services under the able leadership and direction of Wallace M. Lornell, Associate in that Bureau. As chairperson, Mr. Lornell was assisted by an articulate and hardworking committee representing professional associations in pupil personnel services and special education. A list of those committee members, along with the names of the professional organizations they represent, is included in the "Acknowledgements" section of this paper following the main text.

Acknowledgements

The following persons, and the organizations they represented, participated in the preparation and development of this paper on "Counseling As A Related Service". The group met as a committee three times, and those who participated on it gave their talents, time, and efforts extensively and freely. Their contribution to this paper on behalf of children in the schools is gratefully acknowledged.

Barbara Brundage	New York State Personnel and Guidance Association
Jerry Coleman	New York State Association of Pupil Service Administrators
Lynn Corbin	New York State Association of School Social Workers
John Irving	New York State Association of Special Education Administrators
Wayne Jonas	New York State Association of Special Education Administrators
James W. Moore	New York State Education Department, Division of Pupil Personnel Services
Melvin Schwager	School Psychology Division, New York State Psychological Association
John Soja	New York State Education Department, Bureau of Guidance
Linden D. Summers, Jr.	New York Association of School Psychologists
Debby Zetterstrom	New York State Association of School Social Workers
Lynda Ziegler	New York State Education Department, Office of Education for Children With Handicapping Conditions
Esther Zinoman	New York State Education Department, Bureau of School Psychological and Social Services

Counseling as a Related Service

School-based counseling is an educational service offered to all pupils. Guidelines presented in this paper are concerned with the provision of counseling as a related service for handicapped children. They have been written to assist school personnel to discharge their responsibilities when the Committee on the Handicapped (COH) determines that a pupil requires counseling.

Legal Authorization

The New York State Regulations of the Commissioner of Education[1] and Federal laws and regulations[2] require that counseling be made available to handicapped students and their families when it is recommended by the COH.

Federal regulations state . . . . . "'related services' means . . . . supportive services as required to assist a handicapped child to benefit from special education . . . . . The term also includes school health and social work services in the schools, and parent counseling and training. . . . . 'Counseling services' means services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel. 'Parent counseling and training' means assisting parents in understanding the special needs of their child and providing parents with information about child development".[2]

Federal regulations recognize that many environmental factors affect a pupil's ability to learn. They refer to "group and individual counseling with the child and family, working with those problems in a child's living situation (home, school, community) that affect the child's adjustment in school".[2]

Counseling as a related service is offered within the context of public education and must be made available at no cost to the parents. In his certification to the Civil Service Commission, the Commissioner of Education identifies counseling as an instructional service provided by school psychologists, school social workers, and guidance counselors.[3] Under Chapter 53 of the New York State Laws of 1980, funds are available to provide at least two periods per week of school-based counseling to handicapped children requiring assistance.[4] The regulations of the Commissioner define a period as 30 minutes in length.[5] Further, a recent Commissioner's decision clarifies the focus of such service as school based. "There is no general authority for a board of education to contract with an independent contractor for instructional services or specifically for psychological services".[6]

Definition

Counseling services improve communication and interaction between the child and/or family and school personnel to enable a child to be more productive. School-based counseling is an interpersonal process involving a competent, certified professional and an individual or group of people. It may involve parents and other relevant people, as well as the pupil. Using a variety of techniques to deal with a broad range of issues and problems, it assists the handicapped pupil to overcome social, emotional,

or learning difficulties interfering with the educational process. Career counseling, directed at developing decision-making skills and educational-vocational planning, is an equally appropriate focus for school-based counseling of handicapped students.

School-based counseling as a related service is supportive. It is designed to maintain the handicapped pupil in the least restrictive educational environment. It should be available in all special education settings: the regular classroom, the resource room, special classes within the school district, classes provided by BOCES, day treatment centers, and residential schools.

Procedures

When pupils' psychosocial needs prevent them from benefitting from their assigned program, and the support services associated with that program are insufficient for their needs, alternative educational placement may be recommended. In classes and programs for emotionally disturbed pupils, a more significant portion of the curriculum is devoted to developing interpersonal skills that will enable such pupils to return to the mainstream. The professions of teaching, social work, counseling and psychology are involved in this process which represents an interdisciplinary team effort. Psychoeducational goals and programs are developed under the aegis and supervision of school psychologists. These "remedial services and procedures (are) used by teachers and supervisors in overcoming the learning difficulties and social maladjustments of pupils".[3]

While all teachers are involved in counseling in the process of teaching, the services provided by the professionally trained counselors are more intense and different from those provided by the classroom teacher. Counseling services may range from occasional contacts in the school to scheduled individual or group counseling sessions. When parents make an independent decision to obtain counseling in settings outside the province of school, the handicapped pupil may also benefit from supportive counseling coordinated with the outside community by a school-based professional. School personnel should be aware of community resources which provide counseling and develop cooperative relationships in all aspects of the referral process. The COH should delegate to a member of the school staff the responsibility to assist a family or a handicapped student to locate appropriate help in the community.

The COH makes the general recommendation for counseling in Phase I of the development of the Individual Educational Plan. Counseling professionals recommend the specific form, frequency and anticipated duration of counseling. The focus of school-based counseling must be on the school-related difficulties of the handicapped child. Phase I of the IEP should include the recommendation by the COH for counseling services, the basis for that determination, and the nature of the school-based assistance to be provided to the handicapped student and his/her family. During the writing of Phase II of the IEP, specific objectives, short-range goals and evaluation procedures are determined. Periodic evaluation during the school year should be included so that the counseling professional may adjust counseling goals and objectives when appropriate. Evaluation can be considered as a

feedback system focusing on the question, "Was the intervention effective?" The COH must evaluate the mode of intervention and current student behavior to determine if the counseling assistance is helpful. The goals must be linked to the behavior that is to be changed. The chart on page 4 illustrates this concept.

In prephase I activities, the pupil is referred to a counseling professional who gathers data from the home and school to determine if there is a need for counseling. On the basis of the collected data, the counseling professional makes a recommendation in writing to the COH which includes the type, frequency, and duration of the school-based counseling. The parent is again consulted and informed that a counseling recommendation will be discussed at the COH meeting.

The following description was developed to illustrate, in a functional abbreviated form the various stages of school-based counseling and how it is synchronized with the IEP. The publication, "The Individualized Education Program: A Guide for Development"[7] was used as a frame of reference and should be consulted for a more detailed description.

PHASE I ACTIVITIES

A counseling professional collects existing information and reports.	The COH chairperson compiles data from the teacher, school records and social history.
Preplacement evaluation is made.	The COH chairperson conducts an evaluation to identify the pupil's needs.
COH prepares recommendations and notifies parents.	The COH evaluates the information and recommendations from all sources.
COH develops recommendations.	The COH determines if school-based counseling is to be recommended to the Board of Education. The COH indicates the specific form, frequency, and anticipated duration.
With Board authorization and parental consent, preplacement evaluation for IEP is completed in the recommended program setting.	Counseling is initiated to complete preparation for IEP planning.

Illustration of Counseling Goals*

Problem	Annual Goals	Short-Range Objectives
Nonattendance or school phobia	To improve attendance To improve positive identification with school To improve participation in educational activities	Articulate feelings about school activities Eat lunch with other students
Poor relationship with peers	To learn how other people feel about her/him To improve peer interaction skills	Walk to and from school and eat lunch with peers Participate in playground activities voluntarily Invite a friend to attend an activity
Poor self-concept	To improve self-perception To maintain a positive self-image	Speak out voluntarily in class at least once a week Verbalize feelings about adequacy and sibling relationships
Parent-child conflict	To improve family relationship	Articulate one or two positive statements about parents Participate in describing ideal rules at home and at school
Hostile to all authority	To identify reality of feelings in home, school, or community and help understand and cope with these feelings	Verbalize feelings toward police and discuss implications of society without police Recognize problems resulting from lack of self-control
Inability to communicate	To identify reasons communication is difficult	Verbalize feelings about homework, peers, or parents Initiate one conversation each day for a week

*Modification of chart published in Social Work in Education, Journal of the National Association of Social Workers, April 1980.

PHASE II ACTIVITIES

Parents are invited to a planning conference.	Invitation proffered by teacher or counseling professional.
Planning conference is conducted.	The teacher, parent, and counseling professional, (the student where appropriate) develop specific goals and evaluation procedures to determine if the counseling goals are being achieved.

FINAL PLACEMENT

COH forwards recommendations to the Board of Education.	Counseling is recommended as a related service.
Board of Education directs implementation of program placement.	Parents will have signed the consent form and counseling is initiated.

The provision of counseling should be considered as a continuum from Phase I through Final Placement of the IEP. The following excerpts illustrate this concept.

Illustrations of Counseling at Prephase I

In Prephase I the counseling professional must obtain information from the parents and other relevant people in the student's life to begin the relationship process. Counseling may be recommended to the COH at this point by the school social worker, psychologist, or guidance counselor based on the assessment.

Joe, 8 years old, is referred to the school psychologist by the classroom teacher because he daydreams frequently and is not engaged in classroom activities. At times his verbal productions are inappropriate in content and affect. In a conference with the teacher and school psychologist, Joe's mother reports similar behavior at home. He disappears for long periods of time and is always involved with individual projects. Joe's mother agrees that it would be helpful to discuss his behavior with the psychologist. The psychologist summarizes this information in a written report to the COH.

Bill is an adolescent educable mentally retarded student presently placed in foster care. He has been in six foster homes in two years. He exhibits severe learning and behavior problems which are also very perplexing to the foster parents who are requesting information to help Bill succeed in school. The child welfare worker and the school social worker consult with the current foster parents to arrange for treatment for Bill at a mental health clinic and suggest that the school provide supportive counseling with both Bill and foster parents on a weekly basis.

The guidance counselor reports that Ann has attended a number of schools because of her parent's mobile occupation and recent divorce, but her academic progress has been marginal. She is 14 years old and currently living with her father. She is chronically truant and resents all authority, although she has not yet been suspended from school. She is ambivalent about her father and makes scathing remarks about both her mother and stepmother. Her parents had received family counseling in the past and Ann was referred to a child guidance clinic in another city. The guidance counselor has been unable to contact the parents but informed them in writing that inschool counseling twice a week will be recommended at the COH meeting.

Illustration of Counseling in Phase I

In Phase I of the IEP the person who is to provide the counseling is assigned by the COH and the specific counseling plans are developed. The counseling objectives are an integral part of the instructional plan and include a method of evaluating the effectiveness of the counseling.

Jane is a third grade pupil recently transferred from a parochial school where her behavior resulted in a request that her mother withdraw her from school. Jane's parents are involved in a business which requires them to be away from home frequently, and Jane is left with various relatives and babysitters. It has been difficult to contact either parent. The information in the social history is very meager as the parents resist any attempts to involve them. Jane burst into tears when the teacher requested she write in her journal. The parents agreed that Jane should visit the psychologist during the class writing period, since this was the period of acute stress. The psychologist recommends weekly counseling for a two-month period.

The COH reviewed the information from the parents, previous school, psychologist, nurse, classroom teacher, and principal and determined that Jane is handicapped.

The COH recommended that:

1. Jane visit the psychologist once a week for two months during the class writing period.

2. The school social worker continue efforts to obtain more adequate social history information and interpret Jane's current behavior to the parents.

3. Both professionals consult before the end of the month.

4. The school psychologist and school social worker write a joint report incorporating information about Jane's overall classroom adjustment, as well as her attitude about writing for COH review at the end of two months.

Illustration of Counseling in Phase II

In Phase II of the IEP the teacher, parent, and counseling representative discuss specific objectives and methods of evaluating these objectives.

Jeffery is a multiply handicapped 16-year-old student assigned to the resource program. He has a profound hearing loss resulting in delayed speech development. There is also a foreign language problem in the home. Jeffery developed good masonry skills in the BOCES program but isolated himself in the resource room. It was decided that an appropriate goal for Jeffery is to help him interact with students who are not handicapped. As a way of transition, he is enrolled in a leatherworking club. Periodic individual counseling is scheduled to help Jeffery in his orientation to mainstreaming. The counselor consults with the parents and the teacher and makes specific suggestions to encourage Jeffery's social skills.

The guidance counselor provides individual sessions once a week to help Jeffery: 1) to relate his experience in the leatherworking club, and 2) to express his feelings about his vocational plans.

Growth in his ability to express himself will be reviewed quarterly through regularly scheduled conferences with the teacher and his parents.

Linda, a seventh grade pupil, is identified as learning disabled (L.D.). In the seventh grade, her marks and overall performance declined. She wastes her time in the resource room. Her parents informed the COH that marital problems and an impending separation may be responsible for her behavior. To deal with these problems in her future program, the COH recommends that the social workers work closely with Linda to help her overcome this emotional stress. The parents, teacher, and social worker met and agreed that Linda should meet every week with the social worker.

The short-term goals are 1) to develop appropriate work habits for class assignments, 2) to plan and use her time effectively, and 3) to meet with a group of pupils from similar circumstances to discuss their common feelings.

Individual and small group counseling sessions are assigned to help Linda discuss her feelings about the impending separation and to recognize that other children have to cope with similar experiences. Linda's classroom teachers will evaluate her progress, and comments will be made on her overall performance and personal progress reports.

Illustration of Counseling Continuum

In this example the development and implementation of counseling as a related service is described at all levels for the same student.

Prephase I

This is a condensed copy of the written report the school social worker presented to the COH.

Reason for Referral

Carl is referred to the Building Level Pupil Personnel Services Team by his kindergarten teacher because of his active behavior in the classroom. Carl is impulsive, has a difficult time attending to group lessons and frequently disrupts the working atmosphere of other children in the classroom. On two occasions, Carl has bitten children when his demands have not been immediately met. Carl has been placed with a reading aide for ½ hour per day to receive individual instruction. However, the classroom teacher requests additional services. Her observation is that Carl's behavior is interfering with his academic program and that he is not working up to his intellectual potential.

Social History

Carl is a six-year-old kindergarten pupil living with his grandmother and a three-year-old brother. His 13-year-old sister, the issue of the mother's first marriage, lives with the mother, her second husband, and the husband's 14-year-old son from his first marriage. Carl's mother was involved in a common law relationship which resulted in the birth of her two sons, Carl, and the second one a preschooler. Carl has been identified by the family as the client. After the birth of the second child, the father was incarcerated and at this time has no contact with the children. Carl's mother placed her two children with their grandparents but continues to visit them sporadically. The mother has been visited at work and agrees with the following suggestions about her family:

- her children will be enrolled in a Head Start full-year program
- the guidance counselor in the junior high school should provide counseling for Carl's two adolescent siblings who are disruptive in school
- the school will consult with the public welfare department about Carl and his younger brother
- the teacher will establish some realistic education goal for Carl
- Carl's mother and Carl's stepfather could benefit from intensive family counseling at the county mental health center and she will encourage her husband to participate
- Carl will receive individual counseling in a play setting at school twice a week

Phase I

The COH considered this report with all other information and determined that Carl is handicapped and recommended to the board that:

1. Carl receive counseling in a play setting with the school social worker once a week in 30 minute sessions for the fall term. The COH will evaluate his school progress mid-year to determine if the current placement is appropriate. The counseling goals are to help Carl:

   - improve peer interaction
   - improve class participation
   - be able to attend to an education task for a longer span of time
   - decrease aggressive behavior and increase appropriate verbalization regarding feelings of anger and frustration
   - respond to teacher request with greater frequency
   - and improve relationships with his parents and siblings

2. The school social worker will collaborate with appropriate outside agencies to assist and support them in the provision of services to the family.

Presentation of additional material by other staff members and discussion with the social worker at the COH meeting resulted in an agreement that observational time was needed to see whether Carl could adjust to the regular classroom or would need a more restricted environment.

Phase II

The school social worker and the teacher devised the following counseling programs and evaluative procedures. The parent was invited to participate but "could not get time off" to come to school. Carl is presently able to differentiate between letters and numbers. He knows 2 out of 5 primary colors. He must be spoken to for disruptive behavior once every 3-4 minutes. Specific objectives are:

- Carl will recognize all alphabet letters, both upper and lower case
- Carl will be able to identify all primary colors
- Carl will need to be spoken to once every 15 minutes for disruptive behavior
- the teacher and/or social worker will meet with the parents on a monthly basis to discuss Carl's educational progress and support and implement the services of the mental health clinic
- the school social worker will support the efforts of the social agencies to help the family, and will act as a liaison between the school and these agencies

Evaluation procedures are:

1. There will be a biweekly meeting of professional staff to determine achievement (or lack thereof) in meeting the above goals. These meetings will be both for informational exchange and support of the staff's efforts and concerns. Ideal goals will be adjusted in relation to actual academic and behavioral advances with Carl.

2. The school social worker will keep a record of the meetings with the public welfare department and the mental health center to share mutual progress reports.

FOOTNOTES

1. Regulations of the Commissioner of Education of New York State, 200.1d

   Pupils with handicapping conditions shall mean pupils under the age of 21 who are entitled to attend public schools pursuant to section 3202 of the Education Law and who, because of mental, physical, emotional or autistic reasons, because of learning disabilities, or because of a combination of such factors can receive appropriate educational opportunities from special services and programs to include, but not limited to, transportation, special classes, related services, resource programs, transitional and other support services, home/hospital instruction and special teachers; State-operated or State-supported special schools or other special facilities; and/or those services, facilities or programs which can be obtained through contracts with boards of cooperative educational services, public school districts, approved nonpublic schools, or other agencies approved by the department.

   Regulations of the Commissioner of Education of New York State, 200.1s

   Related services shall include audiology, counseling, occupational therapy, physical therapy, speech pathology, medical services, psychological services and other appropriate support services.

2. Public Law 94-142.121a.13, Related Services

   (a) . . . . . "Related services" means supportive services as are required to assist a handicapped child to benefit from special education . . . . . counseling services, and medical services for diagnostic or evaluation purposes. The term also includes school health services, social work services in schools, and parent counseling and training.

   (2) "Counseling services" means services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.

   (6) "Parent counseling and training" means assisting parents in understanding the special needs of their child and providing parents with information about child development.

   (8) "Psychological services" include:
   (i) Administering psychological and educational tests, and other assessment procedures;
   (ii) Interpreting assessment results;
   (iii) Obtaining, integrating, and interpreting information about child behavior and conditions relating to learning;
   (iv) Consulting with other staff members in planning school programs to meet the special needs of children as indicated by psychological tests, interviews, and behavioral evaluations; and
   (v) Planning and managing a program of psychological services, including psychological counseling for children and parents.

(11) "Social work services in schools" include:
(i) Preparing a social or developmental history on a handicapped child;
(ii) Group and individual counseling with the child and family;
(iii) Working with those problems in a child's living situation (home, school, and community) that affect the child's adjustment in school; and
(iv) Mobilizing school and community resources to enable the child to receive maximum benefit from his or her educational program.

3. New York State Civil Service Law, Article 3, Section 35, Paragraph G

"All persons employed by any title whatsoever as members of the teaching and supervisory staff of a school district, board of cooperative educational services or county vocational and extension board, as certified to the state commissioner of education. The commissioner of education shall prescribe qualifications for appointment for all classes of position so certified by him and shall establish specifications setting forth the qualifications for the nature and scope of the duties and responsibilities of such position. The commissioner of education shall file such qualifications for appointment and such specifications with the civil service commission."

The following qualifications and specifications have been filed by the commissioner of education.

School Psychologist - Subject to the direction and supervision of the superintendent of schools, examine children, by individual psychological tests, for ungraded classes, classes of mentally retarded or gifted children and other special classes in which general or special mental abilities of the pupils are main factors; diagnose learning difficulties of children and suggest remedial treatment; investigate causes of personality and social maladjustments; supervise diagnostic and remedial measures and procedures used by teachers and supervisors in overcoming the learning difficulties or other maladjustments of pupils, and advise and assist teachers and supervisors in the application of such measures; give pupils individual instruction in overcoming learning difficulties or other maladjustments and advise supervisors, teachers, and parents with regard to the kind of instruction given to said pupils; confer with teachers and parents with regard to the learning and behavior problems of children; advise teachers, principals and superintendents of schools with regard to all matters relating to psychological problems of children.

School Social Worker - Subject to the direction and supervision of the superintendent of schools, confer with pupils, teachers, and parents concerning students who are having school adjustment problems; make a social diagnosis regarding placement in classes for handicapped children regarding learning and social problems; consult with and advise parents on means of improving conditions affecting school work, behavior, and social adjustment in school, offer direct services to the student on matters related to learning and school adjustment; coordinate activities of instructional staff and pupil personnel services with that of local social agencies, courts and resources; implement and expedite school recommendations with teachers, parents, and community; compile school records and other professional information regarding court hearings, class placement, and school adjustment.

Guidance Counselor - Subject to the direction of the superintendent of schools, confer with pupils on extracurricular, curricular, and personal problems, school policies and related problems; confer with parents, teachers, specialists, and community agencies on the educational, health, social and vocational problems of pupils; give instruction in school orientation, curriculums and courses of study, further education, occupational information and related topics; maintain current and reliable information on higher education, special training and occupational opportunities; assist pupils with employment problems, prepare, maintain, or supervise the maintenance of pupils' cumulative records; advise the superintendent, principal, or other staff member in regard to all matters relating to educational and vocational guidance services.

4. New York State Laws of 1979, Chapter 53, Section 19b

"Weighted pupils with handicapping conditions" shall be the attendance of pupils during the base year in programs approved in accordance with the provisions of article eighty-nine of this chapter in public schools and boards of cooperative educational services and shall be computed as follows:

(1) The attendance of pupils who have been found by a committee on the handicapped either to require placement for sixty per centum or more of the school day in a special class, or to require home or hospital instruction for a period of more than sixty days, or to require special services or programs for more than sixty per centum of the school day shall be multiplied by one and seven tenths;

(2) The attendance of pupils who have been found by a committee on the handicapped to require placement of twenty per centum or more of the school week in a resource room or to require special services or programs for twenty per centum or more of the school week shall be multiplied by nine tenths;

(3) The attendance of pupils who have been found by a committee on the handicapped to require two or more periods a week of special instruction either in speech or in another special program or services shall be multiplied by thirteen hundredths.

5. Regulations of the Commissioner of Education, Section 200.2(a)

For the purpose of apportionment of aid pursuant to subdivision 19 of section 3602 of the Education Law, the following definitions shall apply: (1) A period shall mean a minimum of 30 minutes of direct services provided individually to a pupil with a handicapping condition or to a group of 2 or 3 such pupils depending upon individual pupil need as recommended by the committee on the handicapped and the type of special service required for such pupils.

6. New York State Commissioner of Education Decision - Friedman vs. Ballston Spa Central Schools, April 2, 1980, Page 5.

   There is no general authority for a board of education to contract with an independent contractor for instructional services or specifically for psychological services. In situations in which a school district does not have a school psychologist available for service on the district's committee on the handicapped, the board is authorized to contract for such services (Education Law, Section 4402, (1)(b)(1)(a)). However, such authority is limited to a contract with a board of cooperative educational services or another school district, and does not extend to a contract with a private contractor.

   In addition to the lack of statutory authority, contracting with private individuals or firms for psychological services is contrary to sound educational policy. School psychologists are subject to certain training requirements in order to obtain New York State certification (8NYCRR 80.3(e)). Such requirements are oriented toward specific training in the provision of psychoeducational assessment and services. To permit a board to contract for psychological services could result in the services being performed by persons who are not so trained.

7. The Individualized Education Program - A Guide for Development. New York State Education Department, 1979, Pages 4, 8, 12, 16, 20.

   Sequence of Events

   1. Referral of child thought to be handicapped for identification and placement to the Board of Education or the Committee on the Handicapped (COH) appointed by the Board.

   2. Existing information and reports on the child are collected and reviewed by the COH; decisions made about need for additional testing.

   3. Notification to parents requesting written consent for additional preplacement evaluation.

   4. Preplacement evaluation conducted upon receipt of written parental consent.

   5. Evaluation results given COH reason to believe that the child is in need of special education program and services as a result of the existence of a handicapping condition.

   6. Parents and appropriate others meet with the COH to discuss recommendations to be submitted to the Board of Education.

   7. COH develops recommendation, including evaluation results, and forwards it to the Board of Education and parents along with due process rights within 30 days of date of referral.

8. With Board authorization, COH obtains written parental consent to continue preplacement evaluation and complete the IEP (Phase II) in the recommended special program setting.

9. The Chief School Officer arranges for the IEP planning conference to be conducted as soon as possible but no later than 30 days after the child's entrance into the recommended program.

10. The COH forwards all information necessary for the completion of the IEP to appropriate planning conference personnel.

PHASE II

11. Special education teacher receives information from COH for child placed.

12. Special education teacher conducts needed additional classroom assessments.

13. Parents are invited to attend planning conference.

14. Special education teacher prepares for planning conference.

15. Parents prepare for planning conference.

16. Planning conference is conducted as soon as possible, but no later than 30 days after the student enters the special education program.

17. Final copy of the IEP sent to parents, COH and appropriate others.

FINAL PLACEMENT

18. COH forwards placement recommendation to the Board of Education for action within 30 days of the child's entrance into the special education program for preplacement evaluation.

19. Board of Education provides written notice of its final determination to the parents or guardians.

20. Board of Education directs Chief School Officer to implement program placement. Final placement must have prior written parental consent and an IEP developed in a planning conference.